

5/1996



# GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

## RESOLUTION GR-64-96

### A RESOLUTION DESIGNATING POSSIBLE ROUTES ON COMMUNITY LANDS FOR THE PROPOSED SOUTH MOUNTAIN FREEWAY (LOOP 202)

WHEREAS, the Gila River Indian Community (the "Community") desires to enhance and further economic development within the northern borderlands area of the Community, specifically including land in District #6; and

WHEREAS, the Gila River Indian Community Council (the "Community Council") approved the Borderlands Master Plan on May 17, 1990 which includes a major east-west regional transportation corridor connecting Interstate-10 (I-10) east to 51st Avenue; and

WHEREAS, the Arizona Department of Transportation ("ADOT") is currently seeking proposals from private entities to construct and operate a toll road for a portion of State Route 202, known as the South Mountain corridor; and

WHEREAS, the ADOT proposal describes alternative alignments which may be considered up to approximately one mile south of Pecos Road between I-10 east and 59th Avenue, and specifically within the Community; and

WHEREAS, the previously designated alignment along Pecos Road outside the exterior boundaries of the Community, presents negative impacts for the Community, as well as residents along the City of Phoenix' southern boundary; and

WHEREAS, District #6 of the Community has agreed that Community values preclude degradation of any portion of South Mountain by cutting, blasting or changing South Mountain, due to its religious significance to the Community; and

WHEREAS, routing the proposed South Mountain Freeway through the Community can also help mitigate the high volume of truck traffic and other through traffic in the 51st Avenue residential corridor; and

WHEREAS, District #6 Community concurred with exploring the opportunity for developing the South Mountain Freeway on Community lands, and continues to convene its Toll Road Advisory Committee on a continuing basis, thus participating in the ongoing process; and

WHEREAS, the Community Council recognized this initiative by adopting Community Resolution GR-05-96 on the 3rd day of January 1996, in support of the concept for development of the South Mountain Freeway on Community lands, whether by private toll or public construction; and

## GILA RIVER INDIAN COMMUNITY RESOLUTION GR-64-96 PAGE 2

WHEREAS, the Toll Road Advisory Committee and District #6 Community have reviewed two Community lands designated routes (attachments A&B); and are willing to cooperate with and be involved in negotiating efforts concerning either of these routes; and will work with the Community government and other interested agencies, as long as the Community is allowed to review and approve design, routing and negotiations necessary for the project to move forward.

NOW THEREFORE BE IT RESOLVED, that the Community Council adopts the designated routes (attachments A&B) as having sufficient merit to pursue as the South Mountain Freeway alignment and to begin negotiations with ADOT and its designated proposers.

### CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (9), (13), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted this 15th day of May, 1996, at a Regular Community Council Meeting held in District #3, Sacaton, Arizona, at which a quorum of 12 Members were present by a vote of 8 FOR; 4 OPPOSE; 0 ABSTAIN; 4 ABSENT; 1 VACANCY.

GILA RIVER INDIAN COMMUNITY

*Mary V. Thomas*  
GOVERNOR 5-15-96

ATTEST:

*Doreen V. Allen*  
COMMUNITY COUNCIL SECRETARY



# GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

## RESOLUTION GR-126-00

### RESOLUTION OPPOSING THE USE OF 51<sup>ST</sup> AVENUE FOR THE PROPOSED TRUCK BYPASS ROUTE AND ANY FUTURE BYPASS PLANS FOR THE PROPOSED SOUTH MOUNTAIN PARKWAY THROUGH THE DISTRICT SIX COMMUNITY OF THE GILA RIVER INDIAN COMMUNITY

- WHEREAS**, the Maricopa County Department of Transportation (the "MCDOT") completed a 51<sup>st</sup> Avenue Corridor Truck Route Analysis Study that projected traffic volumes of 7,000 vehicles per day on 51<sup>st</sup> Avenue in 1997 with volumes projected to increase to 23,000 vehicles per day by the year 2020;
- WHEREAS**, MCDOT has proposed a truck bypass route that would redirect traffic and reduce current and future congestion on 51<sup>st</sup> Avenue in Laveen;
- WHEREAS**, the City of Phoenix completed a South Mountain Parkway Specific Plan in 1999 to address the limited access to the west valley from Interstate 10 east;
- WHEREAS**, the Maricopa Association of Governments (the "MAG") has formed a South Mountain Agency Stakeholders group for the purpose of developing a recommendation for the alignment for the proposed South Mountain Parkway;
- WHEREAS**, the Arizona Department of Transportation (the "ADOT"), MCDOT, City of Phoenix, and MAG plan on extending Pecos Road west around the South Mountain with an option of crossing across lands of the Gila River Indian Community (the "Community");
- WHEREAS**, the District Six community has experienced the negative impact of increasing traffic through the residential areas along 51<sup>st</sup> Avenue south of the Community's boundary;
- WHEREAS**, 51<sup>st</sup> Avenue is essential to the Community because it serves as the principal arterial from Riggs Road-Beltline road and is a significant east/west travel route to the western portion of the Community;
- WHEREAS**, the District Six Community is concerned with the safety and welfare of its members, as well as other members of the Community who utilize this roadway, due to excessively speeding vehicles on 51<sup>st</sup> Avenue, which has residential areas, churches, a health clinic, a school, a Boys and Girls club, and a convenience store within its area;

## GILA RIVER INDIAN COMMUNITY RESOLUTION GR-126-00 PAGE 2

- WHEREAS**, the District Six Community has concerns of increasing traffic, excess speeding vehicles, the safety and welfare of its members, the area's significant cultural and religious importance to the entire Community, the deterioration of the pristine natural environment, and the increase negative noise and visual impacts;
- WHEREAS**, because of its concerns, the District Six Community strongly opposes the proposed parkway, truck bypass route, or any future bypass plans through portions of the South Mountain and across Community land;
- WHEREAS**, on June 12, 2000, the District Six Community voted to strongly oppose future transportation of hazardous waste and materials through its community; and
- WHEREAS**, the District Six Community strongly requests that the Community Council oppose any future development of roadways from ADOT and MCDOT through the District Six Community.
- NOW THEREFORE BE IT RESOLVED**, that the Community Council strongly opposes the development plans by ADOT, MCDOT, and MAG for a truck bypass route or any future bypass plans for the proposed South Mountain Parkway across Community lands.
- BE IT FINALLY RESOLVED**, that the Governor, or in the Governor's absence the Lieutenant Governor, is hereby authorized to take necessary action to effectuate the intent of this Resolution.

### CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (7), (9) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted by this 2<sup>nd</sup> day of August, 2000 at a Regular Community Council Meeting held in District 3, Sacaton, AZ at which a quorum of 15 Members were present by a vote of 15 FOR; 0 OPPOSE; 0 ABSTAIN; 2 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY  
  
GOVERNOR

ATTEST

COMMUNITY COUNCIL SECRETARY



## GILA RIVER INDIAN COMMUNITY

*Executive Office of the Governor & Lieutenant Governor*

*William R. Rhodes*  
Governor



*Joseph Manuel*  
Lieutenant Governor

January 27, 2010

Director John Halikowski  
Arizona Department of Transportation  
206 S. 17<sup>th</sup> Avenue  
Mail Drop 100A  
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the "Community") is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community's land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Muadag (South Mountain). The Community's assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community's official position remains the same: (a) we oppose any desecration of Muadag (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interests to explore all options to mitigate any negative impacts to our culture and land; including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community's traditional routes and wildlife corridors between Komadk (the Estrella Mountain) and Muadag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51<sup>st</sup> Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki • P.O. Box 97 • Sacaton, Arizona 85147  
Telephone: 520-562-9840 • Fax: 520-562-9849 • Email: [executivemail@gric.nsn.us](mailto:executivemail@gric.nsn.us)

further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

  
William R. Rhodes, Governor  
GILA RIVER INDIAN COMMUNITY

# GILA RIVER INDIAN COMMUNITY

*Executive Office of the Governor & Lieutenant Governor*

*William R. Rhodes*  
Governor



*Joseph Manuel*  
Lieutenant Governor

January 27, 2010

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further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

*W.R. Rhodes* 1-28-10  
William R. Rhodes, Governor  
GILA RIVER INDIAN COMMUNITY





STATE OF ARIZONA

JANICE K. BREWER  
GOVERNOR

EXECUTIVE OFFICE

February 1, 2010

Governor William R. Rhodes  
Gila River Indian Community  
Governance Center  
P.O. Box 2138  
Sacaton, AZ 85147

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my appreciation for the assistance of the Gila River Indian Community to consider a potential partnership between the State and the Community on the issue of the development of the South Mountain Freeway.

I am in receipt of your letter sent to the Arizona Department of Transportation and I pledge the full engagement of the Department in working with your sovereign nation to conduct a study of the effects of an On-Reservation alignment consistent with the Community's land use plans and the desire to mitigate cultural impacts to South Mountain.

I understand and respect that the Community's position opposing an On-Reservation alignment and any desecration of South Mountain remains the same. I am hopeful for the opportunities that may exist to consider the economic development potential of this much-needed transportation corridor, while mitigating any negative impacts to the Community's culture and land.

While there is much work still to be done regarding the final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about the conditions of the Community's cooperation and involvement in the study process.

Please do not hesitate to call on me or my team if there is anything we can do to help further your consideration of this very critical regional project.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".  
Janice K. Brewer  
Governor

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September 20, 2001

Ms. Rita Walton  
Maricopa Association of Governments  
302 North 1st Avenue, Suite 300  
Phoenix, Arizona 85003

**Subject:** South Mountain Corridor L/DCR & EIS  
Demographic Data Request

Dear Ms. Walton:

ADOT is undertaking a study to assess the environmental impact and to perform a DCR on proposed improvements within the South Mountain Corridor from the I-10/Santan Freeway interchange vicinity to I-10 west between 43<sup>rd</sup> Avenue and 107<sup>th</sup> Avenue. To begin the evaluation, we are requesting the following demographic data in ARC/INFO or ArcView files for the corridor:

- TAZ 2000
- DF1 2025 (TAZ demographic data for the horizon year 2025)
- Development data
- Employment data
- General plans for Phoenix, Tolleson, Avondale, and Goodyear
- MPA Boundaries

These data files will be used in the review of the model demographic input files and employed in the alternative evaluation.

Thank you for your continuing cooperation.

Sincerely,

ARIZONA DEPARTMENT OF TRANSPORTATION

*Mary Viparina*  
Mary Viparina  
Project Manager

cc: Steve Martin, HDR  
Patrizia Gonella-Ramos, Lima & Associates



302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003  
Phone (602) 254-6300 ▲ FAX (602) 254-6490  
mag@mag.maricopa.gov

May 31, 2000

TO: Members of the MAG South Mountain Parkway Stakeholders Group

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: CONFIRMATION OF ACTION RECOMMENDED BY THE SOUTH MOUNTAIN AGENCY STAKEHOLDERS GROUP

At the last meeting of the South Mountain Agency Stakeholders Group held on May 2, 2000, it was the consensus of the group that a Federal environment impact statement be undertaken for the entire corridor. Also, there was a recognized need to protect right-of-way for this facility.

These recommendations require action by MAG and ADOT. To ensure that the consensus of the South Mountain Agency Stakeholders Group is fully addressed, a draft memorandum is enclosed for your review.

Please provide any comments to me or Stuart Boggs at (602) 254-6300 by June 12, 2000. Do not hesitate to call us if you have any questions.

A Voluntary Association of Local Governments In Maricopa County

City of Avondale ▲ Town of Buckeye ▲ Town of Carefree ▲ Town of Cave Creek ▲ City of Chandler ▲ City of El Mirage ▲ Town of Fountain Hills ▲ Town of Gila Bend ▲ Gila River Indian Community ▲ Town of Gilbert  
City of Glendale ▲ City of Goodyear ▲ Town of Guadalupe ▲ City of Litchfield Park ▲ Maricopa County ▲ City of Mesa ▲ Town of Paradise Valley ▲ City of Peoria ▲ City of Phoenix ▲ Town of Queen Creek  
Salt River Pima-Maricopa Indian Community ▲ City of Scottsdale ▲ City of Surprise ▲ City of Tempe ▲ City of Tolleson ▲ Town of Wickenburg ▲ Town of Youngtown ▲ Arizona Department of Transportation



DRAFT

May 31, 2000

TO: MAG Transportation Review Committee

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: RECOMMENDATIONS TO UNDERTAKE AN ENVIRONMENTAL IMPACT STATEMENT AND PROTECT RIGHT-OF-WAY FOR SOUTH MOUNTAIN PARKWAY

The South Mountain Agency Stakeholders Group was formed by action of the MAG Regional Council on January 19, 2000. At a meeting of this Group on May 2, 2000 there was a consensus to move forward with a Federal Environmental Impact Statement (EIS) for the entire corridor. Also, it was recognized that the right-of-way for this facility needs to be protected. Accordingly, the following actions are recommended:

- Amend the MAG and ADOT FY 2001 programs to include \$6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

**HISTORY**

The South Mountain Parkway extends 22 miles from the Papago Freeway in west Phoenix to south of South Mountain and then eastward along the Pecos Road alignment to the Maricopa freeway in Chandler. Funding for this parkway was approved by the voters of Maricopa County in 1985.

The South Mountain Parkway has been part of the MAG Long Range Transportation Plan since 1985, however, target dates for completion have varied. In 1997, \$85 million was included in the funded ADOT Life Cycle Program for construction of an interim facility between 19<sup>th</sup> Avenue and Baseline Road. This level of funding remains part of the currently approved Life Cycle Program. Completion of this facility is now targeted for after 2007.

**ISSUES**

In 1985, the South Mountain Corridor was located just north of the Gila River Indian Community. As a result, the Parkway cuts the edge of the southwest corner of South Mountain Park.

Since the adoption of the original corridor location in 1985, the Pecos corridor has experienced

intense development activity. ADOT has purchased 243 acres in this corridor and the City of Phoenix has helped to protect this corridor by requiring dedication of 110 feet of right-of-way. However, homes are now located along the edge of this planned facility.

Development activity is also occurring along the north/south leg of the corridor. A red letter notification was received by MAG in June 1999 concerning a new subdivision with 148 homes in the Parkway alignment near Broadway Road. MAG and ADOT committees assessed this notification and as a result the Regional Council formed the South Mountain Agency Stakeholders Group that includes representatives from:

- The Gila River Indian Community
- Arizona Department of Transportation
- Maricopa County
- City of Tolleson
- City of Glendale
- City of Phoenix

**ENVIRONMENTAL IMPACT STATEMENT**

Preliminary engineering for the original alignment for the South Mountain Parkway was completed by ADOT in 1988. A state environmental assessment was completed in association with this work.

At the meeting of South Mountain Agency Stakeholders Group on May 2, 2000, the consensus of the group was that a full Federal environmental impact statement should be completed for this entire corridor. Reasons include:

- Ensure eligibility for Federal funding
- Need to fully address environmental issues
- Possibility of an alignment change that would be located on the Gila River Indian Community to avoid South Mountain Park

At this meeting, interest was expressed in fully addressing related issues including:

- A truck bypass route
- Design of the South Mountain/Papago Interchange to limit congestion on 59<sup>th</sup> Avenue
- Need for interim solutions, including a bypass route around the Laveen area
- Need to protect right-of-way
- Need for a strategic plan to program near-term funds and ensure completion of the parkway

**ACTION**

In order to proceed with the consensus of the South Mountain Agency Stakeholders Group, the following is recommended:

- Amend the MAG and ADOT FY 2001 programs to include \$6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

This additional \$6.0 million in FY 2001 can be absorbed within the existing cash flow. This is a minor project so a public hearing is not required. Also, as an exempt project a regional conformity analysis is not required. The current freeway Life Cycle Program includes \$5.0 million per year for the protection of right-of-way. Once the environmental and preliminary engineering work has been completed the existing \$85 million on the South Mountain Parkway may need to be reprogrammed to be in accord with a new strategic plan to complete the corridor.

For additional information please call me or Stuart Boggs at (602) 254-6300.



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 Phone (602) 254-6300 • Fax (602) 254-6490  
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December 19, 2005

The Honorable J.D. Hayworth  
 House of Representatives  
 2434 Rayburn House Office Building  
 Washington, D.C. 20515

Dear Representative Hayworth:

Thank you for meeting with Mayor Hawker, and staff from the Maricopa Association of Governments and the Arizona Department of Transportation (ADOT) to discuss the issues surrounding the Environmental Impact Statement being conducted by the ADOT on the South Mountain Freeway. We appreciate your candor regarding the concerns of the residents in the Ahwatukee area and believe that with your involvement the best solution for this facility can be attained.

In our meeting, we discussed the history of the project and the need to address regional mobility. Your staff requested that we address the specific questions that you forwarded to our office and we have worked with the Arizona Department of Transportation regarding these issues. A copy of the answers is enclosed. To augment the answers to your questions, we would gladly work with your staff to further discuss the issues regarding the project.

Again, we are looking forward to working with you and your staff on the South Mountain Freeway Project. Thank you for taking time out of your busy schedule to discuss these issues.

If you have any questions, please contact me at the MAG office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Smith".

Dennis Smith  
 Executive Director

c. Mayor Keno Hawker  
 Brian Murray  
 Eric Anderson

A Voluntary Association of Local Governments in Maricopa County

City of Apache Junction • City of Avondale • Town of Buckeye • Town of Carefree • Town of Cave Creek • City of Chandler • City of El Mirage • Fort McDowell Yavapai Nation • Town of Fountain Hills • Town of Gila Bend • Gila River Indian Community • Town of Gilbert • City of Glendale • City of Goodyear • Town of Guadalupe • City of Litchfield Park • Maricopa County • City of Mesa • Town of Paradise Valley • City of Peoria • City of Phoenix • Town of Queen Creek • Salt River Pima-Maricopa Indian Community • City of Scottsdale • City of Surprise • City of Tempe • City of Tolleson • Town of Wickenburg • Town of Youngtown • Arizona Department of Transportation



| Date of Projections | Study  | Projection Year | Daily Traffic Forecast |
|---------------------|--|-----------------|------------------------|
| 1985                | Central Area Transportation Study  | 2015            | 92,000                 |
| 1988                | Southwest Loop Environmental Assessment and Design Concept Report (Arizona SR-218)                                       | 2015            | 97,000                 |
| 2003                | Initiation of South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report (Arizona SR-202L) | 2025            | 155,000                |
| 2005                | Continuing study efforts for the South Mountain Freeway EIS and L/DCR (Arizona SR-202L)                                  | 2030            | 164,000                |

Copies of the 1985 and 1988 studies are available for review from MAG. Please contact us for copy information.

Inquiry:

2. Your most current estimates on commercial truck traffic versus noncommercial traffic.

Response:

The MAG travel demand model incorporates a commercial vehicle model to estimate this type of traffic on the MAG freeway system. Current projections indicate the SR-202L/South Mountain Freeway will carry approximately 12,000 commercial vehicles daily, or approximately seven percent, in the 2030 forecast horizon. By contrast, this volume is lower than the present commercial vehicle volume along the US-60/Superstition Freeway, where more than 17,000 commercial vehicles can be found east of its traffic interchange with the Interstate 10/Maricopa Freeway. This volume is approximately eight percent of the existing traffic on US-60. Thus, MAG believes the SR-202L/South Mountain Freeway forecasts are in-line with the commercial vehicle demand for other freeways on the regional network.

It is also important to note that the commercial vehicles using the proposed freeway dramatically reduce their use of existing surface streets in this portion of the metropolitan area. Most notably, this includes the Beltline Highway/51st Avenue corridor where MAG believes commercial vehicle traffic through the Gila River Indian Community and Laveen Village activity centers will drop by as much as 80 percent when compared to traffic projections for the No-Build scenario. We believe this drop in commercial vehicle traffic on these arterial streets will considerably reduce the crash potential, especially between vehicles and pedestrians, in these activity centers.

- Studies have shown that travel time will be less from travel along Interstate 10 between the current Pecos Road and Washington Street interchanges if the SR-202L/South Mountain Freeway is constructed. Without the freeway, the study team estimates the travel time would be 37 minutes for this trip. If SR-202L is constructed, then the travel time for this trip decreases to 28 minutes.

Inquiry:

5. What are the reasons the Phoenix Parks Board opposes the construction of the freeway and how you plan to mitigate all of their concerns.

Response:

From the ADOT Study Team: The City of Phoenix Parks and Recreation Board unanimously passed a resolution to strongly oppose any alignment going through South Mountain Park/Preserve. As part of that resolution, the Board encourages ADOT to continue coordination with the Gila River Indian Community to construct the freeway on tribal lands. The board has concerns that if the freeway is built, then there could be impact from the proposed construction cuts through the mountain ridges that includes treatment of habitat and visual impacts they would have. If ADOT is unsuccessful in coordinating with the Gila River Indian Community, then the Parks and Recreation Board suggests mitigation in the form of additional trailheads that could be accessed from freeway interchanges, other land trades, and possibly a tunnel instead of cuts.

ADOT continues to try and coordinate with the Gila River Indian Community for potential construction of the SR-202L/South Mountain Freeway on tribal lands. However, these talks are at a standstill. ADOT believes the community is not interested in any construction of the freeway on their land. As a result, given the need for the roadway, ADOT will use the Environmental Impact Statement and Location/Design Concept Report study process to develop appropriate mitigation to minimize the potential natural and built environment impacts. ADOT's team is in the process of meeting with various stakeholder groups associated with South Mountain Park and Preserve, per the direction of the City of Phoenix Parks and Recreation Department, to determine the concerns surrounding the freeway use of park/preserve land and potential mitigation efforts that may be considered. A mitigation plan will be developed and presented to these stakeholder groups prior to inclusion in the Draft Environmental Impact Statement.

Inquiry:

6. Effects on groundwater supplies to Ahwatukee, including mitigation efforts for wells that service the area.

Response:

From the ADOT Study Team: The study of potential impacts to the Ahwatukee groundwater is continuing. ADOT believes if construction results in water that cannot be accessed by drilling a new well, then mitigation will include a plan for getting water from elsewhere by other techniques. These may include directional drilling, or building a vault under the freeway for allowing access to an existing well. ADOT notes that this information was presented to the project's Citizen Advisory Team in November 2005.

Inquiry:

10. An analysis of all NEPA concerns and mitigation proposals.

Response:

From the ADOT Study Team: This is the purpose of an Environmental Impact Statement project. Prior to publishing the EIS draft and final reports, the ADOT Study Team is preparing more than 20 technical reports addressing specific environmental topics and potential mitigation measures for public review and comment. Presently, these reports are at different stages of completion.

Prior to public publication, these reports undergo review by appropriate ADOT staff, the Federal Highway Administration, and the affected agencies responsible for overseeing a particular environmental topic. While this task is a continuing effort by the study team, ADOT will be more than pleased to distribute copies to any interested party as they become available. The party may contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details.

Inquiry:

11. Copies of all draft technical reports, including the detailed mitigation options, not just executive summaries. Of greatest interest among these would be reports on traffic operations, air quality, costs, total impacts and secondary impacts.

Response:

From the ADOT Study Team: As noted in the previous inquiry, the ADOT Study Team is completing the technical studies. Please feel free to contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details on how to obtain copies of these reports as they become available.

The Maricopa Association of Governments appreciates the opportunity to assist in the understanding of the study results and process for the freeway proposal. If additional information is needed, or if our staff can provide additional assistance to facilitate further understanding about the regional need for the SR-202L/South Mountain Freeway, please feel free to contact me or Eric Anderson, MAG Transportation Director, for assistance.



City of  
**Avondale**

525 North Central Avenue  
Avondale, AZ 85323-1999  
Phone: (623) 932-2400  
Fax: (623) 932-2205  
Website: [www.avondale.org](http://www.avondale.org)

January 27, 2003

**MAYOR**  
Ronald J. Drake

**VICE MAYOR**  
Marie Lopez Rogers

**COUNCIL MEMBERS**  
Albert Carroll, Jr.  
Peggy Jones  
Stephanie Karlin  
Betty S. Lynch  
Raymond H. Shuey

**CITY MANAGER**  
Todd Hileman

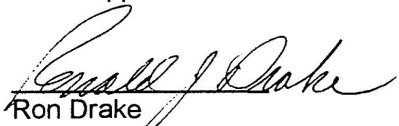
Floyd Roehrich  
Project Manager  
ADOT  
205 S. 17<sup>th</sup> Avenue, Suite 614E  
Phoenix, AZ 85007

Dear Mr. Roehrich:

This letter is to inform you of my strong objection to the proposed alignment of the South Mountain Freeway at 107<sup>th</sup> Avenue. I understand 107<sup>th</sup> Avenue was offered as an option to the study consultants, and therefore ADOT feels obligated to study the alignment. The City of Avondale staff made it clear in December when they met with HDR representatives that 107<sup>th</sup> Avenue was not a viable option, due to the current and proposed residential and commercial property in the area.

I am disturbed that despite our objections, and without any consultation of our staff, the 107<sup>th</sup> Avenue alignment was added to the study list. HDR and ADOT should not be making an important planning decision like this without the consent or consultation of the affected municipality. I and the City Council are the planning authority for Avondale, and we have properly planned our future according to the best interest of our community, and with the participation of our residents. I am distressed that we have been put in a situation where we must fight ADOT for our right to plan our City.

Please understand that I will bring a resolution to the City Council asking them to adopt a formal position of opposition to the 107<sup>th</sup> Avenue alignment, and would appreciate more consideration of our City in the future.

  
Ron Drake  
Mayor

c.c. David Anderson, V.P. HDR  
Victor Mendez, Director, ADOT





# City of Avondale

525 North Central Avenue  
Avondale, AZ 85323-1999  
Phone: (623) 932-2400  
Fax: (623) 932-2205  
Website: www.avondale.org

**MAYOR**  
Ronald J. Drake

**VICE MAYOR**  
Marie Lopez Rogers

**COUNCIL MEMBERS**  
Albert Carroll, Jr.  
Peggy Jones  
Stephanie Karlén  
Betty S. Lynch  
Raymond H. Shuey

**CITY MANAGER**  
Todd Hileman

April 22, 2003

The Honorable Janet Napolitano  
Governor, State of Arizona  
1700 W. Washington  
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study

Dear Governor Napolitano:

This letter is to express our strong objections regarding the proposed 105<sup>th</sup> Avenue alignment for the proposed South Mountain Freeway (Loop 202) interchange with the I-10. We respectfully request this alignment be removed from any future consideration.

The proposed interchange and alignment would certainly have a damaging impact on the City of Avondale's primary commercial and employment area, causing severe financial hardship for this City, as there are limited areas within the city limits of Avondale for said commercial, retail or employment opportunities.

The 105<sup>th</sup> Avenue alignment would eliminate nearly 100 acres of prime land designated for employment and virtually eliminate the Avondale AutoMall, our primary economic engine. Gross sales generated by the AutoMall are expected to be over \$1 billion per year, bringing much needed revenue to the City of Avondale, the State of Arizona and other taxing entities to help sustain programs and services in these lean economic times. Employment at the AutoMall will be well over 1,000 people, most of who will live and shop within a 10 mile radius. The AutoMall currently exists with three operating dealerships, three more under construction and five more in the process of negotiations/planning. The decision not to eliminate the 105<sup>th</sup> Avenue corridor threatens important pending locations to our Auto Mall and other economic opportunities for the city. The remote possibility of this alignment coming to fruition will certainly impede our opportunities with potential investors; causing them to question whether to invest their resources in our community.

The area just south of the AutoMall at 105<sup>th</sup> and Van Buren is currently zoned for Planned Area Development including employment and retail

sales and was recently selected as the site for a major employer. This user has committed to build a 260,000 SF facility that will employ 250 people earning an average salary of over \$55,000. An independent financial analysis of this user demonstrated that this user will generate well over \$70,000,000 in taxable sales annually, 5% of which will go directly to the State. This project is expected to be completed within the next 12 to 18 months. However, there is a very *high probability that the user would abandon this site should they discover the proposed 105<sup>th</sup> Avenue freeway alignment and interchange.*

The selection process for this user was very competitive one, involving the City of Avondale and the City of Rancho Cucamonga, California. Fortunately we were the successful candidate, largely based upon location, and are working diligently to finalize the deal points. We are very concerned that *should the proposed 105<sup>th</sup> Avenue alignment move forward, the user will decide to move to their second choice—California.* If this were to happen, the State of Arizona and the City of Avondale would both lose much needed revenue.

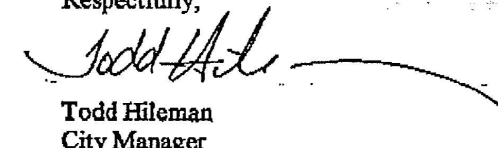
The proposed interchange footprint will also impact the employment/commercial land north of I-10. We are currently in discussions with a major educational institution interested in locating a west valley site. They have been searching for a suitable site for several years and recently put down earnest money on a site directly impacted by the proposed interchange. *They will also abandon the site if they discover the proposed alignment.*

The mere fact that this alignment is included in the preliminary studies will cause delay in the development of our primary employment and commercial corridor. The evaluation process undertaken by ADOT will take a minimum of two more years, and even then there is a great deal of uncertainty as to the outcome. Avondale cannot afford to wait, nor afford to run the risk of losing potential tax generating developers while the process moves forward.

We respectfully request that the 105<sup>th</sup> alignment be removed from the study immediately, to prevent any further economic impacts to our city.

Thank you for your consideration of this request. Please contact me at the above address or by telephone if you have any questions or need further clarification.

Respectfully,

  
Todd Hileman  
City Manager

## Attachments

cc: Floyd Roehrich, Jr., Senior Project Manager  
Valley Project Management Group  
205 S. 17<sup>th</sup> Avenue  
Mail Drop 614E  
Phoenix, AZ 85007

Mr. Victor Mendez, Director  
Arizona Department of Transportation  
206 S. 17<sup>th</sup> Avenue  
MD100A  
Phoenix, AZ 85007



Phone: (623) 932-2400  
 Fax: (623) 932-2205  
 Website: www.avondale.org

May 19, 2003

MAYOR  
 Ronald J. Drake

VICE MAYOR  
 Marie Lopez Rogers

COUNCIL MEMBERS  
 Albert Carroll, Jr.  
 Peggy Jones  
 Stephanie Karlin  
 Betty S. Lynch  
 Raymond H. Shuey

CITY MANAGER  
 Todd Hileman

Frank Fairbanks  
 City Manager, City of Phoenix  
 200 W. Washington Street  
 Phoenix, AZ 85003

Dear Frank,

This letter is to inform you that the City of Avondale has notified Governor Napolitano and ADOT officials, including Victor Mendez, that Avondale supports the City of Phoenix in its desire to have the Interstate 10 connection of the South Mountain Freeway along the original proposed alignment.

City of Avondale staff have steadfastly opposed any alignment of the South Mountain Freeway that is further west of the 1985-proposed 51<sup>st</sup>-69<sup>th</sup> Ave alignment. The City Council passed a resolution opposing alignments in the City of Avondale, and has written letters to the Governor stating our position. We also have informed the Governor and ADOT that we continue to support Phoenix in its bid to assure the Freeway connects west of downtown.

As a related matter, Avondale hopes to secure funding, either federally or through the half cent-sales tax extension, for a parallel Interstate 10 route that would relieve traffic from west central Phoenix to MC-85. This reliever route would parallel I-10 south of the freeway, and would connect to the South Mountain alignment. This reliever will have the greatest effect, and therefore makes the most sense, if the South Mountain Freeway alignment is closer to the center of congestion in Phoenix.

Please let me know if we can be of assistance on the South Mountain Freeway matter. We will continue to work to oppose alignments in our city, but also look forward to working cooperatively with the City of Phoenix to assure an alignment that is beneficial to all.

Sincerely,

Todd Hileman



City of  
**Avondale**

Administration  
 11465 W. Civic Center Drive, Suite 220  
 Avondale, Arizona 85323-6806  
 Phone: (623) 478-3001  
 Fax: (623) 478-3802  
 Website: www.avondale.org

MAYOR  
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VICE MAYOR  
 Betty S. Lynch

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 Albert Carroll, Jr.  
 Jason M. Earp  
 Marie Lopez Rogers  
 Raymond H. Shuey  
 Charles M. Wolf

CITY MANAGER  
 Todd Hileman

May 21, 2004

Mr. Victor Mendez  
 Director, Arizona Department of Transportation  
 2006 S. 17<sup>th</sup> Avenue, MD100A  
 Phoenix, Arizona 85007

Dear Mr. Mendez:

Attached please find the report you had requested recently from our Economic Development Department outlining staff's concerns regarding the 99<sup>th</sup> Avenue alignment of the South Mountain corridor and the potential negative impacts to Avondale's employment base and economy as a result thereof.

Please feel free to contact me if you have any questions.

Thank you for your support and attention.

Sincerely,

Todd Hileman  
 City Manager

Attachment





City of  
**Avondale**

**Administration**

11465 W. Civic Center Drive, Suite 220  
Avondale, Arizona 85323-6806  
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June 22, 2004

MAYOR  
Ronald J. Drake

VICE MAYOR  
Betty S. Lynch

COUNCIL MEMBERS  
Albert Carroll, Jr.  
Jason M. Earp  
Marie Lopez Rogers  
Raymond H. Shuey  
Charles M. Wolf

CITY MANAGER  
Todd Hileman

Ms. Mary E. Peters, Federal Highways Administrator  
Office of the Federal Highway Administrator  
400 7th Street, S.W.  
Washington, D.C. 20590

Mr. Victor Mendez, Director  
Arizona Department of Transportation  
206 S. 17<sup>th</sup> Avenue Rm 135  
Phoenix, Arizona 85007

Dear Ms. Peters and Mr. Mendez:

On June 21, 2004 the Avondale City Council voted unanimously to oppose the 99<sup>th</sup> Avenue alignment for the South Mountain Freeway Extension. Although the Council and Avondale City staff is very aware of and supports the Environmental Impact Statement and preliminary design process that is currently underway, the City vehemently opposes the 99<sup>th</sup> Avenue option due to the severe and potentially devastating impact it would have on the Avondale AutoMall and other existing and future businesses on 99<sup>th</sup> Avenue.

Attached is a copy of the approved resolution (attachment 1) by the Avondale Mayor and Council and a report prepared by the staff (attachment 2) to support this decision. If you have any questions or would like to further discuss this topic, please contact me or our City Manager, Todd Hileman at 623-478-3001.

Respectfully,

Ronald J. Drake  
Mayor

Cc: Dan Lance, ADOT

Attachments

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, OPPOSING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 99TH AVENUE.

**WHEREAS**, the City of Avondale (the "City") has been made aware that the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), included 99th Avenue as an alignment study, in addition to numerous other alternatives, for the connection between Interstate 10 and the planned South Mountain Freeway; and

**WHEREAS**, the Council of the City of Avondale (the "City Council") is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

**WHEREAS**, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

**WHEREAS**, the proposed 99th Avenue alignment would seriously impact (i) the City's ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

**WHEREAS**, the City staff, through meetings and correspondence with HDR and ADOT, has repeatedly opposed the proposed 99th Avenue alignment.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE** as follows:

**SECTION 1.** That the City hereby adamantly opposes the proposed alignment for the South Mountain Freeway along 99th Avenue.

**SECTION 2.** That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to work to defeat any efforts by ADOT to align the South Mountain Freeway along 99th Avenue.

[SIGNATURES ON FOLLOWING PAGE]

**ORDINANCE NO. 1011-04**

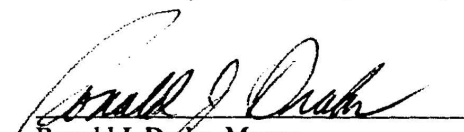
AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO MEHLHORN PROPERTIES, LLC.

**BE IT ORDAINED**, BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

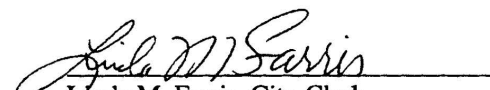
**SECTION 1.** That the City of Avondale hereby approves the sale of ± .15 acres of real property, of which it is the record owner, generally located south of Western Avenue, west of Central Avenue, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, for \$6,426.00 to Mehlhorn Properties, LLC, in accordance with the terms and conditions described in the purchase contract.

**SECTION 2.** That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.


**PASSED AND ADOPTED** by the Council of the City of Avondale, June 21, 2004.

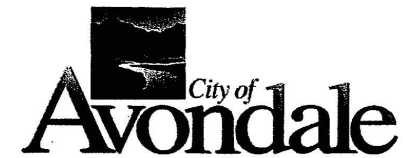
  
Ronald J. Drake, Mayor

ATTEST:

  
Linda M. Farris, City Clerk

APPROVED AS TO FORM:

  
for Andrew J. McGuire, City Attorney

**Memorandum**

**Date:** June 22, 2004  
**To:** Todd Hileman, City Manager (623) 478-3012  
**Through:** Jeff Fairman, Economic Development Director (623) 478-3141  
**From:** Rachel Burke, Research & Marketing Analyst (623) 478-3143  
**Subject:** **Impact of the South Mountain Transportation Corridor's 99<sup>th</sup> Avenue Alignments on Avondale's Economy**

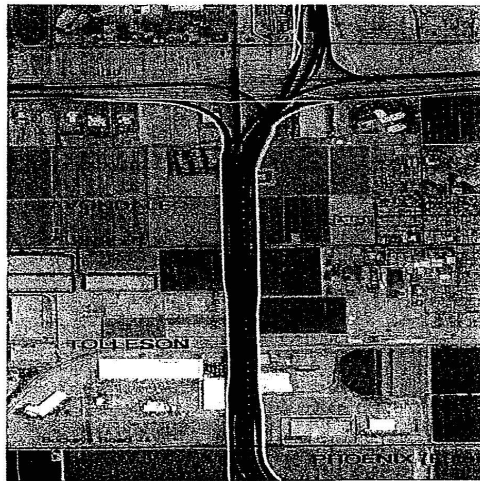
**Introduction**

As you requested, here is an overview of the potential negative impacts to the Avondale employment base and economy assuming a 99<sup>th</sup> Avenue alignment of the South Mountain Freeway. 99<sup>th</sup> Avenue alternatives E, F, and G of the South Mountain Transportation Plan strongly and negatively impact Avondale's emerging economy. Due to current land use patterns and past entitlements, the I-10 Corridor is the only remaining area in the City for commercial uses, job creation, and sales tax generation. This area is critical to the future local economic base and vital to the City's ability to provide services for Avondale's growing population.

At the heart of the I-10 Corridor is the Avondale AutoMall, and it is conservatively estimated that a 99<sup>th</sup> Avenue alignment could result in at least a \$500 million loss in annual taxable sales to as many as five auto dealers, Gateway Pavilions, the Interstate Commerce Park, Pilot Travel Center, and a proposed retail center at the SWC of 99<sup>th</sup> Avenue and McDowell Road. Additionally, a 12-acre site in this area is currently in escrow, with a national client that would sell to and service the transportation industry with estimated annual sales of \$35 million and employ over 100 skilled and semi-skilled workers from Avondale, Tolleson, and surrounding communities.

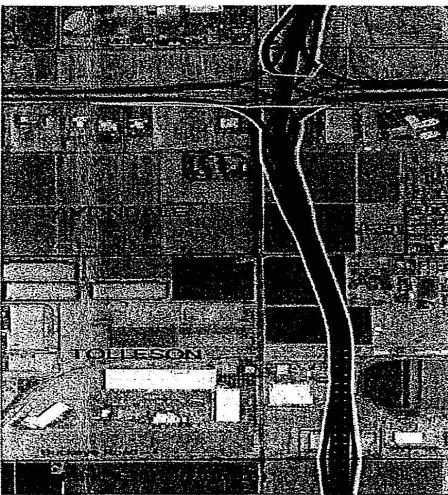
Also with regard to employment, 99<sup>th</sup> Avenue Alternatives E, F, and G would eliminate, at the very least, 600 existing jobs and many more future ones. Southward along 99<sup>th</sup> Avenue, portions of the Avondale AutoMall, the Interstate Commerce Park, and Pilot Travel Center, would be completely eliminated or made inaccessible. In actuality, any 99<sup>th</sup> Avenue alignment would restrict access and visibility to all existing and future businesses and decimate an area crucial to Avondale's economic well-being.





ALTERNATIVE E

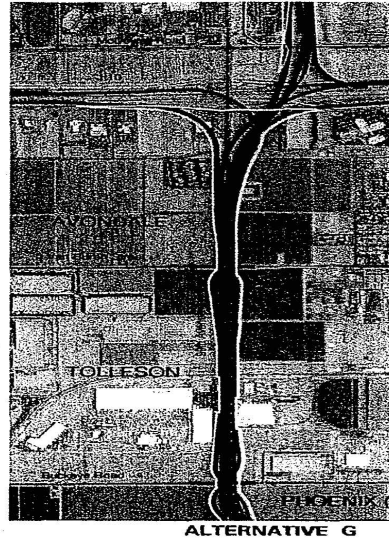
Alternative E travels in a north-south direction along 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road and a half diamond service at Van Buren Street. Two-lane, one-way frontage roads are provided on both sides of the freeway, beginning ¼ mile south of I-10 and ending approximately ¼ mile south of Buckeye Road. This alternative seeks to maintain as much of the existing I-10/ SR 101L system interchange as possible. By proposing only a half service interchange in the City of Avondale, major access problems would negatively affect thriving businesses like the Avondale AutoMall.



ALTERNATIVE F

Alternative F travels primarily in a north-south direction between 99th Avenue and ¼ mile east of 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road but no service interchange at Van Buren Street. As proposed, 99th Avenue would be a six lane arterial with a 16-foot median that maintains the existing roadway limits on the western side. This alternative proposes a fourth level movement and no interchanges within the City of Avondale, thus restricting access to current and future economic development efforts on and around 99th Avenue. Alternates without full diamond service access to Van Buren and McDowell would have severe negative economic implications.





ALTERNATIVE G

Alternative G travels in a north-south direction along 99th Avenue. 99th Avenue would exist largely in its current location, with the freeway elevated at the second level above 99th Avenue. This alternative provides full diamond service interchange at Buckeye Road and half diamond service interchange at Van Buren Street. This option would severely impair visibility to the Avondale AutoMall and surrounding businesses, and the half service interchange at Van Buren Street would restrict access to businesses in the area.

### **Existing Development**

The City of Avondale is today characterized by rapid growth, young families, and emerging retail and job centers. Just 15 miles west of Phoenix, Avondale has been undergoing a transition from an agricultural economy to one based on retail, office and commercial enterprises. The challenge for Avondale is building and diversifying its local economic base while continuing to maintain the character and quality of the City. Another challenge that exists is the limited amount of developable land to create jobs for all of its residents.

Commercial development is mainly located along the Interstate 10 Corridor bounded by Dysart Road to the west and 99<sup>th</sup> Avenue to the east and north of McDowell Road to Van Buren Street. The 99<sup>th</sup> Avenue alternatives proposed in the South Mountain Transportation Corridor plan would restrict access and visibility, limiting development opportunities for a significant amount of land in this area. At least five dealerships in the Avondale AutoMall, the Pilot Travel Center, and over 120 acres for business park employment would be directly affected by a 99<sup>th</sup> Avenue alignment. Demand for commercial growth is high and major users are interested in coming to the I-10 corridor, even the possibility of this alignment has caused several developments to question the viability of locating in the area and have put projects on hold until the location decision is played out.

### **Market Analysis**

Avondale is a city of 60,000 residents, with a small town appeal, while offering many big-city cultural and recreational activities. Avondale has an exceptional regional location to serve California and other Southwest markets. Interstate 10, which is a major east-west freeway, runs through the community. In addition to excellent interstate access, state highway 85, and Sky Harbor Airport also serve Avondale. Avondale's location is close to markets to move services and people. Estrella Mountain Community College, Universal Technical Institute, and Phoenix International Raceway are located in Avondale, which contribute to its vitality. Building the employment base within the City will improve the quality of life for area residents by offering more places to work and shop. However, due to past entitlements, mostly to residential uses, the City has less than 10 % of the total land area left for quality job creation and sales tax generation. Without building the sales tax base, the City of Avondale would not be able to meet the growing needs of its increasing population.

### **Demographic and Economic Context**

Avondale's 2004 estimated population is approximately 4.7% of Maricopa County population but has been growing almost twice as fast as the County's average. Most households are middle-income, although the higher income households have been increasing. There are pockets of high or extremely low-income households. According to the 2000 Census, 8,100 jobs existed. Avondale had largely centered on government and service industries; however, the economy is expected to grow steadily in all sectors, and employment is estimated to reach over 91,500 at build out. Unemployment consistently remains below that of the nation and state.

### **Retail Market**

There is currently about 2.3 million SF of retail space in Avondale, of which 1.6 Million was built between 2001 and 2003. Rents have a large variance; midpoint figures range from \$14.50 PSF for community centers to \$26 PSF for regional centers. Since retailers often follow residential development, growth in this sector is flourishing.

Any 99<sup>th</sup> Avenue alignment would predominantly affect the Avondale AutoMall. The Chevrolet dealership would be razed; it would render the Toyota dealership inaccessible, and it would strongly inhibit access to at least the Chrysler, Dodge, and Honda dealerships. The end result: a negative affect to over 59.6 acres of thriving businesses, a loss of millions in sales, and hundreds of jobs.